



Order Filed on April 22, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

ROGER CHAVEZ, ESQ. (RC4040)
THE NATIONAL NEWARK BUILDING
744 BROAD STREET, SUITE 1600
NEWARK, NEW JERSEY 07102
(973) 735-0530
ATTORNEY FOR DEBTOR, EVARISTO BURDIEZ

In Re:

EVARISTO BURDIEZ,

Debtor.

Case No.: 20-23664/VFP

Chapter 13

Hearing Date: April 15, 2021 @ 11:00AM

Judge: Vincent F. Papalia

**ORDER: A) MODIFYING CECILIA OTERO'S PROOF OF CLAIM (CLAIM NO. 2); B)
EXPUNGING SELECT PORTFOLIO SERVICING'S PROOF OF CLAIM (CLAIM NO.
3); AND C) DENYING SANCTIONS AGAINST CECILIA OTERO AND PATEL,
SOLTIS, CARDENAS & BOST**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: April 22, 2021



Honorable Vincent F. Papalia
United States Bankruptcy Judge

Debtor: EVARISTO BURDIEZ

Chapter 13 | Case No. 20-23664/VFP

Caption of Order: ORDER: A) MODIFYING CECILIA OTERO'S PROOF OF CLAIM (CLAIM NO. 2) B) EXPUNGING SELECT PORTFOLIO SERVICING'S PROOF OF CLAIM (CLAIM NO. 3); AND C) DENYING SANCTIONS AGAINST CECILIA OTERO AND PATEL, SOLTIS, CARDENAS & BOST

This matter having been opened to the Court by Roger Chavez, Esq., attorney for Debtor, Evaristo Burdiez, upon the filing of Debtor's Motion (the "Motion") to: A) Modify Cecilia Otero's Proof of Claim (Claim No. 2); B) Expunge Select Portfolio Servicing's Proof of Claim (Claim No. 3); and, C) Impose Sanctions Against Cecilia Otero and Patel, Soltis, Cardenas & Bost pursuant to 28 U.S.C. §1927 and/or 11 U.S.C. §105(a), and a copy of said Motion having been served upon Cecilia Otero and her attorney, John Voorhees, Esq., and coming before the Honorable Vincent F. Papalia for hearing on April 15, 2021 (the "Hearing"); and the Court having considered the submissions of the parties and the arguments of counsel; and for the reasons set forth on the record at the Hearing, and for good cause appearing:

IT IS ORDERED THAT:

1. Claim Number 2-Cecilia Otero (Total Amount: \$6,650.00-Unsecured). This claim is hereby reduced to \$5,300.00. The Chapter 13 Standing Trustee shall place this claim on reserve and is directed to withhold distribution to Ms. Otero pending the final resolution of Debtor's appeal of Judge Mark T. Janeczko's Order, dated August 21, 2020.
2. Claim Number 3-Select Portfolio Servicing (Total Amount: \$466,533.35 | Pre-petition Arrears: \$25,143.04-Secured). This claim is hereby expunged in its entirety from the claims registry.

Debtor: EVARISTO BURDIEZ

Chapter 13 | Case No. 20-23664/VFP

Caption of Order: ORDER: A) MODIFYING CECILIA OTERO'S PROOF OF CLAIM (CLAIM NO. 2); B) EXPUNGING SELECT PORTFOLIO SERVICING'S PROOF OF CLAIM (CLAIM NO. 3); AND C) DENYING SANCTIONS AGAINST CECILIA OTERO AND PATEL, SOLTIS, CARDENAS & BOST

IT IS FURTHER ORDERED: that Debtor's request for sanctions against Cecilia Otero and Patel, Soltis, Cardenas & Bost pursuant to 11 U.S.C. § 105(a) and 28 U.S.C. § 1927 is denied.

IT IS SO ORDERED, ADJUDGED AND DECREED.

In re:
Evaristo Burdiez
Debtor

Case No. 20-23664-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Apr 22, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 24, 2021:

Recip ID	Recipient Name and Address
db	+ Evaristo Burdiez, 365 River Road, Bogota, NJ 07603-1017

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 24, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 22, 2021 at the address(es) listed below:

Name	Email Address
Alex A Pisarevsky	on behalf of Creditor Weinberg & Cooper LLC ap@njlawfirm.com
Alex A Pisarevsky	on behalf of Interested Party Melissa Cohen Esq ap@njlawfirm.com
Denise E. Carlon	on behalf of Creditor U.S. Bank Trust National Association as Trustee for GIFM Holdings Trust dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Franklin G. Soto	on behalf of Creditor Jose Fenibal Duque-Castano yesenia@bsglaw.com sotofr96356@notify.bestcase.com
Franklin G. Soto	on behalf of Creditor Gloria Liliana Salazar yesenia@bsglaw.com sotofr96356@notify.bestcase.com
Franklin G. Soto	on behalf of Creditor Claudia Marcela Duque-Salazar yesenia@bsglaw.com sotofr96356@notify.bestcase.com

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Apr 22, 2021

Form ID: pdf903

Total Noticed: 1

John Richard Voorhees, III

on behalf of Creditor Cecilia Otero bk@focusedlaw.com
bk@focusedlaw.com;g35648@notify.cincompass.com;10440@notices.nextchapterbk.com

Marie-Ann Greenberg

magecf@magtrustee.com

Marie-Ann Greenberg

on behalf of Trustee Marie-Ann Greenberg magecf@magtrustee.com

Roger Chavez

on behalf of Debtor Evaristo Burdiez rchavez01@aol.com rchavez@chavezlegal.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11